

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 89 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 16-34-2-1.1, AS AMENDED BY P.L.146-2008,
- 4 SECTION 444, IS AMENDED TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2009]: Sec. 1.1. (a) An abortion shall not be
- 6 performed except with the voluntary and informed consent of the
- 7 pregnant woman upon whom the abortion is to be performed. Except
- 8 in the case of a medical emergency, consent to an abortion is voluntary
- 9 and informed only if the following conditions are met:
- 10 (1) At least eighteen (18) hours before the abortion and in the
- 11 presence of the pregnant woman, the physician who is to perform
- 12 the abortion, the referring physician or a physician assistant (as
- 13 defined in IC 25-27.5-2-10), an advanced practice nurse (as
- 14 defined in IC 25-23-1-1(b)), or a midwife (as defined in
- 15 IC 34-18-2-19) to whom the responsibility has been delegated by
- 16 the physician who is to perform the abortion or the referring
- 17 physician has orally informed the pregnant woman of the
- 18 following:
- 19 (A) The name of the physician performing the abortion.
- 20 (B) The nature of the proposed procedure or treatment.
- 21 (C) The risks of and alternatives to the procedure or treatment.
- 22 (D) The probable gestational age of the fetus, including an
- 23 offer to provide:
- 24 (i) a picture or drawing of a fetus;

- 1 (ii) the dimensions of a fetus; and  
 2 (iii) relevant information on the potential survival of an  
 3 unborn fetus;  
 4 at this stage of development.  
 5 (E) The medical risks associated with carrying the fetus to  
 6 term.  
 7 (F) The availability of fetal ultrasound imaging and  
 8 auscultation of fetal heart tone services to enable the pregnant  
 9 woman to view the image and hear the heartbeat of the fetus  
 10 and how to obtain access to these services.  
 11 **(G) That the fetus might feel pain.**  
 12 (2) At least eighteen (18) hours before the abortion, the pregnant  
 13 woman will be orally informed of the following:  
 14 (A) That medical assistance benefits may be available for  
 15 prenatal care, childbirth, and neonatal care from the local  
 16 office of the division of family resources.  
 17 (B) That the father of the unborn fetus is legally required to  
 18 assist in the support of the child. In the case of rape, the  
 19 information required under this clause may be omitted.  
 20 (C) That adoption alternatives are available and that adoptive  
 21 parents may legally pay the costs of prenatal care, childbirth,  
 22 and neonatal care.  
 23 (3) The pregnant woman certifies in writing, before the abortion  
 24 is performed, that the information required by subdivisions (1)  
 25 and (2) has been provided.  
 26 (b) Before an abortion is performed, the pregnant woman may, upon  
 27 the pregnant woman's request, view the fetal ultrasound imaging and  
 28 hear the auscultation of the fetal heart tone if the fetal heart tone is  
 29 audible."  
 30 Renumber all SECTIONS consecutively.  
 (Reference is to ESB 89 as printed April 10, 2009.)

---

Representative Brown T